

P 121140Z DEC 08  
FM AMEMBASSY TUNIS  
TO SECSTATE WASHDC PRIORITY 5812  
INFO MAGHREB COLLECTIVE PRIORITY  
SECDEF WASHINGTON DC PRIORITY  
HQ USAFRICOM STUTTGART GE PRIORITY

S E C R E T TUNIS 001216

E.O. 12958: DECL: 12/12/2018

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SUBJECT: CODEL MEEK PRESSES GOT ON SOFA, OBSERVES JCET

Classified By: Ambassador Robert F. Godec for reasons 1.4 (b) and (d)

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Summary  
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¶1. (C) CODEL Meek used its December 6 meeting with Defense Minister Morjane to press for a Status of Forces Agreement. Morjane noted that he would be meeting with President Ben Ali later that day and that he might raise the issue. He also planned to discuss peace-keeping operations with Ben Ali; he foreshadowed an increase in Tunisia's PKO contributions, presumably for the Congo. The group also met with Ministry of Foreign Affairs Secretary of State for Maghreb, Arab, and African Affairs Abdelhafidh Hargeum, who asked for greater cooperation in the area of science and technology. Both interlocutors underscored Tunisia's holistic approach to combating extremism, an approach that emphasizes economic development and social advancement. The Secretary of State was unable to predict when the GOT would name a new Ambassador to Washington. End Summary.

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Pressing for Engagement on Draft SOFA Text  
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¶2. (S) Representative Kendrick Meek was accompanied by Congressmen Charles Boustany and Andre Carson on his December 5-7 visit to Tunisia, as well as by two professional staff members of the House Armed Services Committee, Mark Lewis and Josh Holley. In their December 6 meeting with Minister of National Defense Kamel Morjane, the CODEL underscored the importance of concluding a Status of Forces Agreement (SOFA). Morjane took the point but explained that the GOT is sensitive about certain "sensitive elements" in the latest US-proposed draft. He went on to note that the GOT had been flummoxed to receive a second US draft that was "completely different" from the first draft. It was not just a question of a few articles, he explained. The whole concept was different with many new ideas introduced that were "not acceptable" to the GOT.

¶3. (S) Morjane said that the GOT been particularly concerned by the justice-related clauses in the USG's second draft. The delegation of justice, he explained, "just doesn't happen." He continued that only in special exceptions can a judge determine himself not competent to decide a case. Thus, it would be "very difficult" to give judicial power to "someone else." Describing the Tunisian mentality, Morjane said that, "Sometimes we do things better and more efficiently without putting them in writing." Indeed, he said, some people question the need for a SOFA when the United States and Tunisia enjoy such good relations.

¶4. (S) Morjane mused that perhaps what was needed was a third text. Rep. Boustany suggested that it might also be possible for the GOT to approach Secretary of Defense Gates with the initial text. Ambassador Godec noted that we were hoping to get comments from the GOT on the second draft, but that we would welcome any GOT engagement on the issue so that we can better understand Tunisian concerns. Morjane noted that he would be seeing President Ben Ali later that day and that he would "maybe try" to raise the issue of the SOFA with him.

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15. (C) In response to Rep. Cason's opening remarks about how he as a Muslim was proud to see Tunisia's efforts in cooperation with the United States to combat terrorism, Morjan launched into a long soliloquy about the Ministry of National Defense's (MND's) role. He explained that under the Tunisian Constitution the MND has three broad mandates: (a) defending Tunisia from external attack; (b) development of the country through a special unit that builds roads and other infrastructure; and (c) participation in peace-keeping operations. With respect to this last item, Morjane noted that Tunisia has a long history of contribution to UN PKOs, citing the fact that Tunisian soldiers were the first to arrive in the Congo in 1960, seven days after the relevant UNSCR passed. He also noted that he planned to discuss peacekeeping with President Ben Ali in their meeting later that day, suggesting that, "We might make more contributions" presumably to the Congo.

16. (C) Morjane clarified that the Ministry of the Interior has primacy in combating terrorism; the MND has a secondary role. He also explained that the GOT's approach to fighting extremism is holistic. Noting that the kind of Islam practiced in Tunisia is "modern" and "open-minded," he recalled how the Tunisian intellectual Tahar al-Haddad had written a book advocating for women's rights as early as the 1930's. Morjane also credited Tunisia with being the only Arab country where polygamy is forbidden by law. The spirit of tolerance is ingrained in Tunisia, he said, and has been since St. Augustine's time. That said, there are some who say that Tunisians are not "good Muslims." Morjane said that we have to be careful about this attitude, but we also need to be mindful not to contribute to the feeling that we are fighting Islam. For that reason, he said, Tunisia hosts many conferences on religious tolerance.

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Mil-Mil Cooperation: Observing a JCET in Action

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17. (C) Morjane expressed appreciation for the role the visiting Members of Congress and others had played in securing Foreign Military Financing (FMF) for Tunisia. Referring to previous cuts in FMF, he noted that GOT leaders had been "very disappointed." He acknowledged, however, that things had since gotten better, noting that the Tunisian military had just this month received a new UH-1H helicopter and that the USG was in the process of providing much-needed assistance in the form of night-vision goggles and ground surveillance radar. Later in the day on December 6, the CODEL traveled to the Sidi Ahmed airbase in Bizerte to observe Joint Combined Exercises and Training for a helicopter unit that will be benefiting from the new night vision equipment.

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Extolling Positive Bilateral Relations and  
Looking Forward to Engaging with the New Administration

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18. (SBU) Both Morjane and Ministry of Foreign Affairs Secretary of State for Maghreb, Arab, and African Affairs Abdelhafidh Hargeum, with whom the delegation also met on December 6, assessed that US-Tunisian relations are excellent. Referring to his visit to Washington last May for the Joint Military Commission, Morjane expressed appreciation for the warm welcome he received. He noted that he had been pleased to learn that President-elect Obama had chosen to keep Secretary of Defense Gates in place and to nominate his "good friend" Susan Rice as Ambassador to the United Nations. Morjane noted that he would be sending letters of congratulations to both at the appropriate time.

19. (C) The MFA's Hargeum echoed familiar GOT talking points about Tunisia's economic and social policies, which place a priority on human development. On Tunisia's foreign policy,

he emphasized the importance the GOT attaches to having friendly relations with all countries. He noted that relations with the United States have always been "privileged, and excellent, regardless of Administration." Hargeum catalogued areas of US-Tunisian engagement, singling out science and technology -- "the driving force of Tunisian development" as a field that warranted further cooperation. In this regard, he cited President Ben Ali's directive that the technology parks ("technopoles") that are scattered throughout Tunisia be used to improve higher education and spur development. Hargeum voiced appreciation for the role played by the Tunisia Caucus on Capitol Hill, to which Congressman Meek responded by noting that he looked forward to engaging the leadership of the Caucus.

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But No ETA for a New Ambassador  
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¶10. (C) Noting that the USG is in a time of transition, Rep. Meek underscored the importance of having a Tunisian Ambassador in Washington who will be able to engage with the new Administration at an appropriate level. Asked whether he had an idea as to when the GOT would announce its new candidate to that post, Hargeum responded that a decision would be made "as soon as possible." (Note: The MFA's Director for the Americas who served as notetaker for the Tunisian side during the meeting whispered in ear of EmbOff notetaker that the MFA had "no idea.")

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HA Site Visit  
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¶11. (U) The Delegation also visited a La Marsa school for autistic children, the construction of which had been partially funded by the Office for Security Cooperation's Humanitarian Affairs program. Despite the fact that the visit took place on a Sunday just before the Eid al-Adha holiday, several students and family members were present for the visit, as well as the school's administrators. The CODEL was impressed with the facility and the excellent psychological, medical, and social support that it provides to the special needs children. Members offered to try to link up the group with interested US counterparts.

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Comment  
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¶12. (C) CODEL Meek made a valuable contribution advancing US-Tunisian relations, and the Tunisians were pleased with the visit. Morjane seemed particularly touched when Rep. Carson noted that he is Muslim, and referred to him as "brother." Indeed, the tenor of the exchange was warmer than Morjane's usual stock briefings, with a much greater emphasis on the social/economic development responsibilities of the Army. The Embassy will continue to follow up with GOT interlocutors on the draft SOFA, potential PKO contributions, and the naming of a new Ambassador to Washington. End Comment.

¶12. (U) CODEL Meek did not have a chance to clear this cable before departing Post.

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<http://www.state.sgov.gov/p/nea/tunis/index.cfm>

Godec